

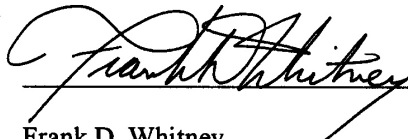
The M&R recommended the motion be dismissed because the Plaintiff Doris J. Reese

("Plaintiff") failed to file a timely response to the Defendant's Motion to Dismiss, despite the fact the court gave the Plaintiff additional guidance and ample time to file a response. After a careful review of the M&R, the Court finds the proposed conclusions of law are consistent with court procedures and current case law. *See Heckler v. Ringer*, 466 U.S. 602, 614-615, 627 (1984) (explaining that judicial review of a claim arising from 42 U.S.C. § 405(g) is only available after administrative remedies are exhausted). Accordingly, the Court hereby **ACCEPTS and ADOPTS** the Magistrate Judge's Recommendation that the Defendant's Motion to Dismiss be granted.

IT IS, THEREFORE, ORDERED that the Defendant's Motion to Dismiss (Doc. 8) is **GRANTED**. The Clerk is **DIRECTED** to close the case.

IT IS SO ORDERED.

Signed: September 9, 2010


Frank D. Whitney
United States District Judge

